

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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|--|---|-----------------|
| NAYELI DELGADO-GUTIERREZ, as |) | |
| Special Administrator of the Estate of Carlos |) | |
| Garcia, Deceased, |) | Case No. |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| PROFFESIONAL TRANSPORTATION, |) | |
| INC., UNITED LEASING, LLC, JB |) | |
| SEEBOTH, LLC d/b/a AFFORDABLE CAR |) | |
| AND MARINE CARE & RANDALL L. |) | |
| BURRELL, |) | |
| |) | |
| Defendants. |) | |

DEFENDANTS' JOINT NOTICE OF REMOVAL

Defendant, JB SEEBOTH, LLC d/b/a AFFORDABLE CAR AND MARINE CARE, by its attorneys, and pursuant to 28 U.S.C. §1441, 28 U.S.C. §1446 and 28 U.S.C. § 1332, hereby files its Joint Notice of Removal of this cause to the United States District Court for the Northern District of Illinois, from the Circuit Court of Cook County, Illinois, and respectfully states:

1. On June 2, 2015, the Plaintiff, Nayeli Delgado-Gutierrez as special Administrator of the Estate of Carlos Garcia, filed an action in the Circuit Court of Cook County, Illinois, entitled Nayeli Delgado-Gutierrez v. Professional Transportation, Inc., Case No. 2015L005560. Defendant in said action now files this Notice of Removal. Upon receiving a file-marked copy hereof, Defendant will serve this Notice of Removal upon Plaintiff and file a copy of this Notice of Removal with the Clerk of the Circuit Court of Cook County, Illinois.

2. The Plaintiff commenced this cause of action on June 2, 2015, by filing her Complaint and having a summons issued thereon. A summons and copy of the Complaint were

served most recently on Defendant, JB SEEBOTH, LLC, on July 15, 2015. Accordingly, this Notice of Removal is timely. Copies of the Summons and Complaint are attached hereto as Exhibit A.

3. The Plaintiff is a citizen of the State of Illinois. She resides at 2440 South Trumbull Avenue, Chicago, Illinois 60623. At the time of the accident, the Decedent co-habitated with the Plaintiff at this address and was a citizen of Illinois prior to his death.

4. Defendant, Randall Burrell, is a citizen of Wisconsin, and resides at 4179 North 14th Street in Milwaukee, Wisconsin 53209.

5. Defendant, JB SEEBOTH, LLC, is a limited liability company organized and existing under the laws of Wisconsin, with its principal place of business in Wisconsin. Jeff Seeboth is the president and sole member and shareholder of the LLC. He is also a citizen of Wisconsin.

6. Defendant, United Leasing, LLC, is a limited liability company organized and existing under the laws of Indiana, with its principal place of business in Indiana. Upon belief, the principals comprising this LLC are Ronald Romain, Connie Romain, and Amy Barron, all of whom are citizens of Indiana.

7. Defendant, Professional Transport, Inc., is a corporation organized and existing under the laws of Indiana, with its principal place of business in Indiana. Upon belief, the principals comprising this corporation are Ronald Romain, Connie Romain, and Amy Barron, all of whom are citizens of Indiana.

8. The Complaint alleges that the Plaintiff's decedent, Carlos Garcia, suffered personal injury and death during a motor vehicle accident occurring on March 15, 2015, on I294 Northbound at or near Mile-Marker 43.75 – 44.75 in Maine Township, Illinois.

9. The amount in controversy in this cause exceeds \$75,000. The Plaintiff alleges that sustained injuries exist in excess of \$50,000, including death. Under Illinois law, the Plaintiff may

recover any amount awarded to her over \$50,000 if proven. Based on information known to date, the Plaintiff will claim medical, burial, and wage loss expenses in addition to compensatory damages for pain and suffering and loss of society. Given that, the amount of compensatory and special damages in controversy exceeds \$75,000.

10. Because this controversy is entirely between citizens of different states diverse from the Plaintiff and the amount in controversy exceeds \$75,000, Defendant desires to remove said cause from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois based on diversity jurisdiction.

11. Co-Defendants, Professional Transportation, Inc., United Leasing, LLC, and Randall L. Burrell, consent to the removal and join in this Notice of Removal.

WHEREFORE, Defendant, JB SEEBOTH, LLC, respectfully requests that this case proceed before the United States District Court for the Northern District of Illinois as an action properly removed.

Respectfully submitted,

/s/ Joseph M. Mitchell
One of the Attorneys for Defendant,
JB SEEBOTH, LLC

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